

# State Superintendent's Blind and Visual Impairment Education Council

## AGENDA – Informational Meeting

*Regarding Changes to licensing regulations affecting Orientation & Mobility  
Instructors working in the state of Wisconsin*

**April 23, 2018 3:00-5:00 pm**

Resources for Libraries and Lifelong Learning 2109 S Stoughton Rd, Madison

**3:00 pm:** Call to order, Welcome, Introductions

Council Members Present:

Nissan Bar-Lev, Kay Rhode, Nancy Thompson, Kedi Carpenter, Meghan Fredel

DPI Representatives present:

Barb Van Haren, DPI Special Education Director, Pete Dally, WCBVI Director, Dawn Soto, WCBVI Outreach Director, Mandy Jordan, WCBVI Administrative Assistant

Guests Present:

Lynn Goeden-Hough, Jane Charlton, Lisa Tomberlin, Andy Soto, Diane Gafney, Jamie Nutter, Michelle King, Cheryl Williams, Helen Grebel

Council Members via Phone:

Fred Wollenburg, Julie Hapeman, Chris Zenchenko, Cheryl Orgas

Guests via phone

Kay Glodowski, Cindy Lambert, Linda Bailey

**3:05 pm:** DPI Update on O&M Licensing Renewals in the State of Wisconsin

Dr. Barb Van Haren welcomed everyone and acknowledged the communication received regarding this topic. Dr. Van Haren gave a brief history of the current licensing situation.

- Recognize that we are experiencing shortages in school personell across the board. We know that is not unusual for Special Education, but also experiencing shortages in a number of other areas as well. There is about a 25-35% reduction in teacher candidates (those going into teacher prep programs). The challenge is even greater in our rural areas. Around two years ago Dr. Evers assembled a leadership workgroup to come up with some creative soluations for the shortage. Much of the feedback emphasized the need to create a better understanding around licensure and a greater flexibility around licensure, as well as to maintain high quality staff. With those recommendations began a review of PI-34 (the administrative rule over the licensing of educators.) In a similar timeframe, within the 2017-2019 biennium budget (Act 59) the legislators created a lifetime license. This is the first time the lifetime license has been in existence since the early 80s. The creation of the lifetime license is specific to three categories, teachers, pupil services personnel, and administrators. The legislature also outlined the lifetime license as being for those that are working within the public school setting. Given the change towards lifetime licenses and the recommendations from Dr. Evers' stakeholder group, DPI began the process of a large overhaul of PI-34. DPI solicited public comment by holding five public hearings across the state in January. There was also the opportunity for commenting online. DPI

received almost 900 comments total to evaluate and respond to and create a report for the legislature. Then DPI needed to change the proposed rule based on those comments. There was a prescribed timeline from the legislature. DPI needed to submit a rule revision recommendation by March 22. If you go to the DPI website for TEPL there are links (<https://dpi.wi.gov/tepl>) to see the proposed rule, the legislative report, and the comments.

When DPI sent the rule revisions in March, there were two topics that impact this group the most.

- The first, in an effort to streamline the rule, basically three overall licensure areas – Teachers, Administrators, and Pupil Services. The Pupil Services designation became a “catch all” for many types of licenses, as an effort to have fewer categories. As the rule revisions were reviewed, all related services were in the pupil services category. There was immediate confusion surrounding that in regards to the particular requirements of each related service. So Related Services were also designated as a separate category.
- The second item was related to feedback given across the board from Related Service providers; is that for many of the RS areas, there a number of categories where individuals are licensed not only through DPI, but also through other entities (SLP, Audio, OT, PT – Dept of Safety and Professional services) and other credentialing boards. The feedback from RS providers was the maintaining clinical licenses AND DPI license with credits was that it is burdensome; not promoting individuals to preserve both licenses and not encouraging individuals to become a RS provider. In the next iteration of revision, the changes wDPI made specific for O&M was in alignment with current language from age designated to grade level designated (Early Childhood through Adolescence is now termed to Pre-Kindergarten through Grade 12). All existing PI-34 language was maintained from previous iterations with the exception of the updated renewal section. At that time it was recommended to have one pathway for renewal in order to streamline the process. That is where the recommendation to have ACVREP certification as a renewal requirement was added.

On April 3 Governor Walker signed Act 206, which included some changes regarding the lifetime licenses. Act 206 gave DPI the authority to use the rulemaking process to make changes to PI-34. Recognized that when the legislators passed the lifetime license provision, many were excluded (such as state schools and CESA). Act 206 granted DPI the opportunity to determine what other educational institutions would qualify for educators to also obtain the lifetime license. Act 206 also allows DPI to define what “successful completion” means. Keep in mind that this came through the legislative process, which is separate from the rule changes from the Department. DPI will be moving forward with the scope statement and rule changes based on Act 206.

Last week DPI needed to provide any “germane modifications” (basic changes to PI34 that are needed to be made prior to the finalization of the legislative review process). DPI submitted three pages of changes; many were minor changes and clarifications. Given some of the feedback DPI received, they did make a recommendation under O&M licensure for the legislators to take under review. DPI recommended for renewal ACVREP Certification OR a 6 credit course option. You will notice that the PDP is not included, as it was eliminated by the legislators through the biennial budget. Note that this is still in legislative review. The recommendations will come back with changes, and move forward to be finalized. There may be questions as well from the legislators for DPI to address.

**3:25 pm:** Public Question and Answer Session on the topic of License Renewal Requirements for O&M Instructors in Wisconsin

A group of Vision Professional stakeholders sent a survey to the Vision Professionals email subscription list for them to respond to more direct questions about the licensing changes.

Lisa Tomberlin, Cindy Lambert, Diane Gafney led this effort. Of 49 respondents, 51% would like DPI lifetime licensure, 22% prefer the ACVREP option, 22% prefer both options, and a few others had different suggestions. The survey also asked their current position – 45% TVI, 73% O&M, along with several others (COMS not in school, vision rehab, vision service coordinator)

There were many comments on the survey as well. Respondents shared concerns about dual certified individuals who may drop the O&M license and certification to avoid additional licensing issues. This raises concern regarding the critical shortage of O&M instructors. Some feel it is difficult to find ACVREP certified programs. The stakeholders feel there was a lack of communication and input from the field, and encourage DPI to look at nearby states that use national certification and also explore additional certifying agencies available to certify.

3:32

Julie Hapeman requested to clarify the difference in roles between AER and ACVREP. These groups are two separate entities. One is professional support organization (AER) and one is certifying body (ACVREP). ACVREP does not require an individual to attend an AER approved university in order to be eligible for certification. For ACVREP certification, an individual has to attend a University training program for O&M and have certificate, then have an internship under a certified O&M specialist (COMS).

Discussion regarding AER program requirement for O&M licensure, and that AER approved programs change over time. Suggestion to address the AER wording as well, since changes are being considered. Dr. Van Haren clarified that as PI-34 has been opened, reviewed, received comments, and made germane modifications; what is before the legislators cannot have significant changes made to it. It is only for questions or clarifications. What the Council may want to consider is additional surveying, a workgroup, etc., to examine what recommendations may be moving forward in the next session (January 2019). The public comment period for this current rule change is closed. The AER requirement has been in the rule and maintained many years. The DPI licensing department, as people are moving in from out of state, looks at what education and certification they bring, and makes a decision regarding if the individual is eligible, and have always taken those kinds of things into consideration (in re: to AER approved programs changing).

Dr. Bar Lev – reminder that what is being considered currently is the language that went to the legislature providing the options for renewal. Acknowledged there is interest in the lifetime license for O&M, but that cannot be considered until the next session. Dr. Van Haren – My understanding of Act 206 allows for different settings, not necessarily different categories/areas of licensing. With that being said there are related services categories who are not interested in the life license, given the medical nature, changing fields, which it is not something they would recommend in their field. Emphasis on growth of profession and changing expectations. Lisa Tomberlin shared that she has spoken with a legislator who indicated that they are still open for comments, even though the Department has submitted their recommendations.

Request for clarification regarding the O&M licensing requirement – is it only ACVREP, or was a 6-credit requirement added also? Dr. Van Haren indicated that with the last modification sent forward, the only changes in O&M licensure were changing the terminology regarding ages/grades, and the additional option of renewal by certification through ACVREP. The 6-credit renewal option previously existed, and was kept in the final DPI recommendation.

Discussion regarding O&M training programs, and the structure regarding training and internships, also in relation to emergency licensure. Emergency licensure for O&M is not issued.

Know that Special Education teachers and Related Service providers, under IDEA, cannot work under an emergency or provisional license for more than three years.

Discussion on difference between Pupil Services and Related Services, and as to why O&M isn't included in the PS category. In Wisconsin, Pupil Services are positions such as School Psych and Counselor. Pupil Services has distinct requirements, and O&M didn't fit in that grouping. PS – work with any child within the school. RS – work with children with special educational needs to meet their IEP needs. Discussion continued as to educational interpreters having specific bullet points related to them in the rule proposal. Dr. Van Haren indicated that has been a multi-year process, in relation to licensing and how to recognize the different certifications. Stakeholders indicate it would be helpful to be able to be more specific regarding the O&M field, as providers are not considered teachers, but also aren't therapists like many others in the RS category. Dr. Van Haren noted that there are federal definitions of teachers and related services. There is a real distinction.

Discussion on additional feedback from the field. Cheryl Orgas shared the NFB resolution against the rule change that was voted upon prior to the re-inclusion of the 6 credit option for renewal. Discussion regarding the value of the rule change in light of possibly losing O&M providers. Dr. Van Haren highlighted that the proposed changes have only added an option for renewal, not removed any option. WAER Council Representative Meghan Fredel shared that WAER voted as a board in support of the renewal change prior to the 6-credit reinstatement. WAER's emphasis of comments was continuing education and staying up on research.

Discussion on options regarding utilizing Medicaid options for School Based Services. WAER has researched this, but felt that getting something like that going is too large a task for them to focus on. Currently Wisconsin insurance companies do not allow this. There has been discussion on this nationwide, as some states have created guidelines to enable this option.

Email input shared encouraging equity between Related Service provider licensure requirements. Concern regarding continuing education.

Discussion on certifications and approved programs. Lack of COMS to provide internship supervision for O&M – need to increase the number of COMS in order to provide high quality training. Discussion on COMS not applying to length of service for providers.

**4:30 pm:** Wrap up discussion on the topic of License Renewal Requirements for O&M Instructors in Wisconsin

Pete Dally – thrilled we are meeting. None of us are interested in shrinking the field. This will need to be an ongoing discussion for the Council including stakeholders, and likely a dedicated workgroup. It is a complicated topic, and there is often misunderstanding within the group. Suggest Council take on this topic moving forward.

Dr. Van Haren – That is my recommendation as well coming into this meeting. My intent was for this to be informational. Moving forward we can take feedback, input, and recommendations. What I shared with this group for today's discussion is based off the document that was sent to two of our legislative representatives last week. Shared for the purpose of a productive informational session.

Additional questions - For people whose licenses expire in June, will this be in effect? BVH – it will most likely not. For those this year will need to continue as if no changes, so if PDP or coursework, continue. Send specific licensing questions to TEPDL to address (such as if an individual is one credit short, will they be able to renew?)

Lisa Tomberlin – thank you for having this meeting. Also have questions about TVI licensing, and would love to have a similar discussion surrounding that also.

Dr. Bar Lev – Will definitely be discussing at upcoming meetings, and encourage attendance in person and via phone.

The next regular meeting will be June 15 from 2-5 at Resources for Libraries and Lifelong Learning.

**Adjourn 5:01**